

Hello OBRA PASRR Stakeholders,

We received correspondence from the Executive Office of the President stating that the COVID-19 Public Health Emergency will expire on May 11th 2023. As communicated in previous notifications, the Administration was committed to informing states within 60 days of the termination of the Public Health Emergency. What does this mean for the OBRA PASRR Program? It means that May 11th, 2023, will be the last day that Medicaid Certified Nursing facilities can admit persons under the PASRR 1135 Waiver. Specifically, the 30-day delay of PASRR Level I Screening Forms and Level II Evaluations will terminate on May 11, 2023, and CMS expects states to [resume full Pre-Admission PASRR activities on May 12, 2023](#). Therefore, please ensure that all your staff is aware that [on May 12th, 2023, all persons seeking admission into Medicaid Certified Nursing facilities must submit an accurate Level I Screening Form and receive a determination before admission.](#)

In regard to any PASRR 1135 Waiver admissions, take this time as an opportunity to ensure that all of your waiver admissions are resolved. Resolved means one of the below.

1. If persons were in your nursing facility for 30 days or less under the 1135 PASRR Waiver, ensure that they are notated on the PASRR 1135 Waiver Tracking Report; a Level I Screening Form submission is not required for this scenario.
2. If persons were admitted under the PASRR Waiver and stayed in your facility over 30 days, ensure that this group is also listed on the PASRR 1135 Waiver Tracking Report. And, these individuals are required to have a Level I Screening Form submission before or by the 30th day.
3. If persons are currently in your facility under the PASRR Waiver and are expected to stay past the 30-day period, ensure you have a system in place to remind you to submit the Level I Screening Form before or by the 30th day.
4. **PLEASE NOTE:** If you have persons in your facility that came in under the 1135 PASRR Waiver and are still there after the 30-day period without the required Level I Screening Form submission; **you must immediately** submit a Level I Screening Form to our office. As you are aware, the Public Health Emergency flexibility is time-sensitive. It only allows a 30-day delay of the Pre-Admission Screening requirements. Therefore, if persons stay in your nursing facility over the 30-day period without submitting a Level I Screening Form to the OBRA Office, you could be subjected to Medicaid Recoupments.
5. If you decide to admit persons under the 1135 Waiver up until May 11th, you will continue to send in your PASRR 1135 Tracking Reports until all the waiver admissions are reflected, which should be by the end of June 2023.

As always, for any questions, you may call us at 1-800-548-2188.